

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**PLANNING AND ZONING COMMISSION**

March 8, 2018  
9:30 a.m.

Board of Supervisors Auditorium  
301 W. Jefferson Street  
Phoenix, Arizona

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**MEMBERS PRESENT:**

Ms. Jennifer Ruby, Chairperson  
Mr. Nathan Andersen, Vice Chairman  
Mr. Bruce Burrows  
Mr. B.J. Copeland (telephonically)  
Mr. Michael Cowley  
Mr. Broc Hiatt  
Mr. Jimmy Lindblom

**MEMBERS ABSENT:**

Mr. Greg Arnett

**STAFF PRESENT:**

Mr. Darren Gerard, Planning Deputy Director  
Ms. Jaclyn Sarnowski, Planner  
Mr. Farhad Tavassoli, Planner  
Ms. Rosalie Pinney, Recording Secretary

**COUNTY AGENCIES:**

Mr. Robert Swan, County Attorney

**CONTINUANCE:**

**Z2017115, Z2017100**

**CONSENT:**

**Z2018003**

**REGULAR:**

**Z2017083**

Meeting called to order at 9:32 a.m.

Chairperson Ruby asked if there were any changes or comments to the January 11 or February 8 minutes, none.

**COMMISSION ACTION: Chairperson Ruby approved the January 11, 2018 and the February 8, 2018 minutes as written.**

Chairperson Ruby said agenda item #3 - Z2018003 is moving from the consent agenda to the regular agenda.

## **CONTINUANCE AGENDA**

### **Z2017115 - Special Use Permit**

#### **District 1**

Applicant: Paul Almond, Almond ADG  
Location: Generally located approximately 800' north of the northeast corner of Hunt Highway in the Chandler area  
Request: Special Use Permit (SUP) to allow a recycling center in the C-3 zoning district – 26423 S. Arizona Ave. Recycling Center

### **Z2017100 – Special Use Permit**

#### **District 3**

Applicant: Jennifer Corey, Zoning Strategies, LLC  
Location: Generally located approximately 585' south of the southwest corner of Carefree Highway  
Request: Special Use Permit (SUP) for a dog training and limited breeding facility - The Teacher's Pet

Mr. Gerard presented the continuance agenda, and noted Z2017115 to be continued to April 12, and Z2017100 to be continued to March 22.

**COMMISSION ACTION: Commissioner Burrows motioned to continue Z2017115 to April 12, 2018, and to continue Z2017100 to March 22, 2018. Commissioner Cowley second. Approved to continue 7-0.**

## **REGULAR AGENDA**

### **Z2018003 – Zoning**

#### **District 4**

Applicant: Ed Smith  
Location: Generally located at the southeast corner of Dysart Rd. and Maryland Ave. in the Glendale area  
Request: Modification of Conditions to the R1-18 RUPD zoning to allow 40 percent lot coverage on 34 lots, 12' front side loaded garage setback on 34 lots, and a 20' rear setback on 31 lots - Dysart Village

Ms. Sarnowski presented Z2018003 and noted staff originally received opposition to the rear yard setback for lots on the southern portion of the subdivision adjacent to the Rural-43 zoning district. Based on comments from the neighboring property owners, the applicant has decided to keep the rear yard setbacks to 30 feet instead of 20 feet for the three additional lots, and the opposition has rescinded their opposition based on these changes. Staff recommends approval with the changes outlined in today's handout for conditions 'a' and 'b'.

**COMMISSION ACTION: Commissioner Burrows motioned to approve Z2018003 with conditions 'a' – 'c', and modifications to conditions 'a' and 'b'. Commissioner Cowley second. Approved 7-0.**

- a. Development of the site shall be in conformance with the Narrative Report entitled "R1-18 RUPD Zone Modification for Dysart Village", consisting of 5 pages, stamped received February 20, 2018, except as modified by the following conditions. **Within 30 days of Board of Supervisors approval, the applicant shall submit a revised narrative indicating the rear yard setback of 30' for lots 24-26, including a color-coded exhibit of the proposed R1-18 RUPD Standards.**
- b. The following R1-18 RUPD standards shall apply:
  1. 20' Front Setback with a 12' for side loaded garage for lots 1-27, 29-31, 33, 35, 37, 39.
  2. 20' Front Setback for lots 28, 34, 36, 38
  3. Rear Setback of 20' for lots ~~1-26~~, **1-23**, 33, 35, 37, 39
  4. Rear Setback of 30' for lots ~~27~~, **24-27**, 29, 30
  5. Rear Setback of 40' for lot 28
  6. 40 percent lot coverage for lots 1-27, 29-31, 33, 35, 37, 39
  7. 30 percent lot coverage for 28, 34, 36, 38
- c. All other stipulations approved per cases Z2004021, S2004021, Z2005045, and S2005077 shall apply as applicable.

**Z2017083 (Cont. from 2/8/18) – Special Use Permit**

**District 5**

Applicant: Jeff Stephens, Searer, Robbins, & Stephens  
 Location: Generally located about 250' north of the northeast corner of Saddle Vista Rd. and Mulberry Dr. alignment on the east side of Saddle Vista Rd. in the Tonopah area  
 Request: Special Use Permit (SUP) to allow a youth retreat center in the Rural-43 zoning district – Arizona FACTS of Life

Mr. Tavassoli presented Z2017083 and noted the applicant has provided a detailed site plan of the 9,510 sq. ft. youth retreat center, which includes a living area for a live-in caretaker to ensure regular care and maintenance of the property. The facility will house up to 14 students on a retreat weekend – once a month, Friday morning through Sunday evening. The students will be assisted by 3-4 counselors and 1-2 adult volunteers. The property will include indoor activities, a kitchen/dining facility, 14 bedrooms, and a laundry room. Outdoor activities will include a pool, volleyball court and a barn and corral to be used by the students. Retreats are set up as male and female retreats only. The vicinity of the subject property consists of single-family residences on large lots and some vacant lots. Staff believes that approval of this SUP request would not adversely impact the rural character of this area, as the retreat center includes activities such as a corral and barnyard and the property will be well maintained by a resident caretaker. The retreats will only be scheduled one weekend each month, limiting drop-offs, pick-ups, and most parking volumes between Friday morning and Sunday evening. Staff has not been informed of any opposition from neighboring landowners and staff recommends approval with conditions 'a' – 'g', with a change to condition 'd' to remove - 'for a period of 90 or more consecutive days'.

Chairperson Ruby said there is a discrepancy between the staff report and the applicant submittal where it talks about being a girl's ranch, and the staff report mentions separate male and female retreats. This has no bearing on the approval, but she would like some clarification. Mr. William Stephens, the architect said this will be solely for young women ranging from ages 9 to 19, and they primarily deal with care and development of young women with any kind of problems.

**COMMISSION ACTION: Vice Chairman Andersen motioned to approve Z2017083 with conditions 'a' – 'g' and modification to condition 'd'. Commissioner Burrows second. Approved 7-0.**

- a. Development of the site shall comply with the Site Plan entitled "Facts of Life Master Plan", consisting of one (1) full-size sheet, dated September 26, 2017, and stamped received October 2, 2017, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Arizona FACTS of Life", consisting of 27 pages, stamped received October 2, 2017, except as modified by the following conditions.
- c. The applicant/property owner shall submit a 'will serve' letter for fire protection services for the project site. A copy of the 'will serve' letter shall be required as part of the initial construction permit submittal.
- d. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors ~~for a period of 90 or more consecutive days~~, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- e. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- f. The following Engineering conditions shall apply:
  1. At the time of acquisition of building permit(s), the north drainage channel must be designed to be outside of the roadway and utility easement; alternatively, the north channel can be incorporated into the easement in such a way that the use of the easement is not diminished.
  2. The site is located in a Special Flood Hazard Area (Floodplain Zone AE). A floodplain use permit (issued through Planning & Development) will be required in addition to any required building permits.

3. Habitable structures will be required to be elevated so that the lowest floor (including the garage) is at or above the regulatory flood elevation (2 feet above the base flood elevation).
- g. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

Mr. Gerard announced there has been a District 5 Commissioner appointee, and Mr. Zamora will be joining the Planning and Zoning Commission at the next hearing.

Chairperson Ruby adjourned the meeting at 9:43 a.m.

Prepared by Rosalie Pinney  
Recording Secretary / Administrative Assistant  
March 8, 2018